

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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DARRIN A. GRUENBERG,

Plaintiff,

v.

DUSTIN KINGSLAND and  
STEVEN MUELLER,

Defendants.

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ORDER

11-cv-574-slc

*Pro se* plaintiff Darrin Gruenberg is proceeding to trial on January 22, 2013 his claim that defendants used excessive force against him in violation of his right to be free from cruel and unusual punishment under the Eighth Amendment. Plaintiff has filed a letter with the court in which he explains that he cannot afford to copy and mail the one hundred or so pages of documents that he intends to use as exhibits at trial. Dkt. 59. The parties exhibits are due by December 14, 2012.

On October 24, 2012, plaintiff filed his Rule 26(a)(3) disclosures in which he identified 15 documents that he intends to present as evidence at trial, including some health care records, photographs, prison memorandums and work rules, incident and conduct reports generated by defendants, a court order, defendants' pleading and defendants' response to his requests for admission and interrogatories. As plaintiff indicates, many of these documents already may be in the hands of defendants or a part of the court record. Before the court can address plaintiff's copying and mailing concerns, however, it needs to know from plaintiff exactly which documents he intends to use at trial. Therefore, by December 14, 2012, plaintiff must file a detailed exhibit list that includes the following information about *each* document that he seeks to use at trial:

- The date and title of the document

- The name of the person(s) who prepared or completed the document
- The number of pages in the document
- A brief description of the contents of the document
- A statement explaining why plaintiff believes the document is relevant to proving his claims or how plaintiff intends to use the document (e.g., for impeachment purposes)
- In the case of responses to interrogatories or requests for admission, the number of the admission or interrogatory
- Whether plaintiff received the document from defendants during the course of discovery

ORDER

IT IS ORDERED that not later than December 14, 2012, plaintiff is to file and serve a detailed exhibit list containing the information outlined in this order.

Entered this 6<sup>th</sup> day of December, 2012.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge